

TUESDAY, 9 o'clock, A. M., January 1, 1850.

The Senate was called to order by the President. Senators present:—Messrs. Brashear, Burleson, Cooke, Davis, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Pense, Phillips, Portis, Robertson, Truit, Van Derlip, Ward, Walker and Wallace.

Prayer by the Chaplain. The journals of yesterday were read and adopted.

Mr. Gage, chairman of the committee on County Boundaries, to whom was referred a bill to amend the first section of an act entitled an act to create the county of Anderson, approved March 24th, 1846, reported the same back to the Senate, without amendment, and recommended its passage.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a bill requiring the election of county treasurers by the people, reported the same back to the Senate, with the following amendments, viz:

Sec. 1, line 10, strike out "and whose duty it," and insert "who."

Substitute for 3d^d section:

"Be it further enacted, That the county treasurers of the several counties of this State shall, before entering upon the duties of their offices, take the oath prescribed by law for all public officers, and shall enter into bond in such sum, not less than two thousand dollars, and with such security as the county court shall direct."

Mr. Portis, chairman of the Special committee, to whom was referred a bill to reserve to every family, in this State, certain property therein specified, and to exempt the same from forced sale under execution or otherwise, reported a substitute for the same and recommended its adoption.

Mr. Moffett, chairman of the committee on Engrossed Bills, made the following report:

COMMITTEE ROOM, January 1, 1850.

To the Hon. John A. Greer,

President of the Senate:

The committee on Engrossed Bills have examined the following, and find them correctly engrossed, to wit:

A bill for the relief of Samuel G. Norvell; a bill declaring Bear Creek, in Sabine county, a navigable stream; a bill to be entitled an act supplementary to an act to incorporate the Western Texas Orphan Asylum, approved March the 16th, 1848; a

bill to provide for the incorporation of charitable, benevolent and scientific companies or societies; an act to authorize the Commissioner of the General Land Office to issue a head-right certificate, first class, for one league and labor of land to John Boyd, assignee of George W. Mead; a bill requiring the Adjutant General to issue a bounty warrant to James E. Edmiston for three hundred and twenty acres, and the Comptroller of Public Accounts to audit his claim for twelve months' pay as a private in the army of Texas; a resolution requiring all the taxes coming to the State from the people of Jasper county for the year 1850, to be appropriated to the building of a court-house and jail for said county.

Mr. Pease introduced a bill to authorize the Governor to employ some person to perform the duties of the office of Attorney General, while the office may be vacant; read first time.

On motion of Mr. Pease, the rule was suspended--bill read second time, and, on motion of Mr. Gage, referred to the committee on the Judiciary.

Mr. McRae introduced a bill authorizing sheriffs to charge mileage for executing process; read first time.

Mr. Burleson, chairman of the committee on Military Affairs, to whom was referred a joint resolution for the relief of David F. Webb, reported the same back to the Senate and asked to be discharged from the further consideration of the same.

On motion of Mr. Portis, Mr. Robertson was added to the joint committee appointed to examine the offices of Treasurer and Comptroller.

Mr. Wallace, chairman of the committee on Enrolled Bills, reported that the following bills had been presented to the Governor for his approval, on the 31st day of December, 1849, viz:

A bill to authorize and require the Commissioner of the General Land Office to issue a patent to Robert W. Latimer for 640 acres of land;

A bill to incorporate the President and Directors of the Guadalupe High School Association;

A bill to establish the Eleventh Judicial District of the State;

A bill defining the boundary of the county of Santa Fe; and,

A joint resolution granting further time for the payment of government dues and the return of field notes.

ORDERS OF THE DAY.

A bill supplementary to an act to incorporate the Western Texas Orphan Asylum, approved March 16th, 1848; read third time and passed by the following vote:

Yeas: Messrs. Brashear, Cooke, Davis, Gage, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Truit, Van Derlip, Ward, Walker and Wallace—17.

Nays: None.

A bill for the relief of Samuel G. Norvell; read third time and passed.

Joint resolution requiring all the taxes coming to the State from the people of Jasper county for the year 1850, to be appropriated to the building of a court-house and jail for said county; read, and, on motion of Mr. McRae, laid on the table.

A bill to provide for the incorporation of charitable, benevolent and scientific companies or societies; read third time and passed.

A bill to authorize the Commissioner of the General Land Office to issue a head-right certificate, first class, for one league and labor of land to John Boyd, assignee of George W. Mead; read third time and passed.

A bill declaring Bear Creek, in Sabine county, a navigable stream; read third time and passed.

A bill requiring the Adjutant General to issue a bounty warrant to James E. Edmiston for three hundred and twenty acres of land, and the Comptroller of Public Accounts to audit his claim for twelve months' pay as a private in the army of Texas; read third time and passed.

Joint resolution for the relief of Jacob Allbright; read third time, and, on motion of Mr. Pease, referred to the committee on the Judiciary.

Mr. Pease presented the petition of Wiley Marshall; which was, on motion of Mr. Pease, referred to the committee on Private Land Claims, without reading.

A message was received from the House of Representatives, informing the Senate that the House had passed a bill to regulate ferries, originating in the Senate, with amendments;

Also, that the House had passed the following bills, viz:

A bill to authorize the county court of Harrison county to have record book B of bonds, deeds, mortgages and other instruments of writing, now in the county clerk's office of said county, transcribed;

A bill for the relief of persons therein named;

A bill to amend an act to create the county of Webb, approved January 28, 1848;

A bill changing the name of George North to George Douglass Bigelow;

A bill to create the county of Kinney; and,

Joint resolution, relative to the removal of obstructions to the navigation of Red River.

Mr. Cooke, from the committee on County Boundaries, to whom was referred a bill to establish permanently the seat of justice of Leon county, reported the same back to the Senate, with an additional section, and recommended the passage of the same.

A bill to authorize James Knight to adopt Lucinda E. Nibbs, daughter of Mary Beckham, deceased, late of the county of Fort Bend; read third time and passed.

Mr. Wallace, chairman of the committee on Enrolled Bills, reported as correctly enrolled:

Joint resolution authorizing the procurement of a slab of native marble of the required dimensions to be placed in the national monument, being built in the city of Washington; and,

A bill supplementary to an act to incorporate the Austin College, approved November, 1849.

The report of the Select committee offering a substitute for the several bills on apportionment was read.

Mr. Portis moved to lay the substitute of the Select committee on the table.

On motion of Mr. Phillips, a call of the Senate was had.

The Senate being full, with the exception of Mr. Taylor, Mr. Moffett moved that Mr. Taylor be excused from attendance until to-morrow; upon which the yeas and nays were called, and stood thus:

Messrs. Brashear, Burleson, Davis, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Pease, Phillips, Portis, Truit, Van Derlip and Ward—15.

Nays: Messrs. Cooke, Gage, Parker, Robertson, Walker and Wallace—6; motion carried, and Mr. Taylor excused.

The yeas and nays were then called on Mr. Portis' motion to lay the substitute on the table, and stood as follows:

Yeas: Messrs. Brashear, Burleson, Cooke, Davis, Grimes, Kinney, McRae, Moffett, Pease, Phillips, Portis and Van Derlip—12.

Nays: Messrs. Gage, Hart, Latimer, Parker, Robertson, Truit, Ward, Walker and Wallace—9; motion carried, and substitute laid on the table.

Mr. Portis moved to take up the bill apportioning Senators and Representatives reported by the joint select committee, together with the substitute offered for the same by Mr. Wallace; carried.

The yeas and nays were then called on the adoption of Mr. Wallace's substitute, and stood thus:

Yeas: Messrs. Cooke, Gage, Latimer, McRae, Parker, Robertson, Truit, Ward, Walker and Wallace—10.

Nays: Messrs. Brashear, Burleson, Davis, Grimes, Hart, Kinney, Moffett, Pease, Phillips, Portis and Van Derlip—11; substitute rejected.

On motion of Mr. Pease, the bill was laid on the table.

On motion of Mr. Grimes, the apportionment bill from the House was taken up and read.

Mr. Wallace offered a substitute, fixing the Representatives at 52, and Senators at 21, for the bill.

Mr. Latimer offered the bill reported by the Select committee of the Senate as a substitute for Mr. Wallace's substitute; upon which the yeas and nays were called, and stood thus:

Yeas: Messrs. Cooke, Gage, Hart, Latimer, Parker, Robertson, Ward, Walker and Wallace—9.

Nays: Messrs. Brashear, Burleson, Davis, Grimes, Kinney, McRae, Moffett, Pease, Phillips, Portis, Truit and Van Derlip—12; rejected.

The question then recurred on the adoption of the substitute offered by Mr. Wallace. The yeas and nays being called, stood as follows:

Yeas: Messrs. Cooke, Latimer, Parker, Robertson, Ward, Walker and Wallace—7.

Nays: Messrs. Brashear, Burleson, Davis, Gage, Grimes, Hart, Kinney, McRae, Moffett, Pease, Phillips, Portis, Truit and Van Derlip—14; rejected.

On motion of Mr. Hart, the 17th Representative District was amended by striking out "Kaufman," and inserting "Van Zandt."

On motion of Mr. Hart, the 18th Representative District was amended by striking out "Van Zandt," and inserting "Kaufman."

On motion of Mr. Kinney, "Refugio and San Patricio" were stricken out of the 50th Representative District and added to the 53d District.

On motion of Mr. Kinney, "Refugio" was stricken out of the 23d Senatorial District and added to the 25th District.

Mr. Wallace moved to strike out the enacting clause; upon which the yeas and nays were called, and stood as follows:

Yeas: Messrs. Parker, Walker and Wallace—3.

Nays:—Messrs. Brashear, Burleson, Cooke, Davis, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Pease, Phillips, Portis, Robertson, Truit, Van Derlip and Ward—18; lost.

Mr. Walker moved to refer the bill to the committee on Privileges and Elections; lost.

Mr. Cooke moved to amend by striking out "Limestone" from the 6th Senatorial District, and inserting it in the 14th District; rejected.

The yeas and nays were then called on passing the bill to its third reading, and were as follows:

Yeas: Messrs. Brashear, Burleson, Davis, Gage, Grimes, Hart, Kinney, McRae, Moffett, Pease, Phillips, Portis, Truit and Van Derlip—14.

Nays: Messrs. Cooke, Latimer, Parker, Robertson, Ward, Walker and Wallace—7.

On motion of Mr. Davis, the Senate adjourned.

WEDNESDAY, 9 o'clock A. M., January 2, 1850.

The Senate was called to order by the President. Senators present:—Messrs. Brashear, Burleson, Cooke, Davis, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward, Walker and Wallace.

Prayer by the Chaplain. The journals of yesterday were read and adopted.

Mr. Robertson presented the petition of Daniel Muuroe; on motion of Mr. Robertson, referred to the committee on Public Lands, without reading.

Mr. Wallace, from the committee on Public Lands, to whom was referred the petition of Burwell J. Thompson for the heirs of Patsey Lewis, deceased, reported a bill for the relief of the heirs of Patsey Lewis, deceased; read first time.

Mr. Phillips, chairman of the committee on the Judiciary, to whom was referred a bill to authorize the Governor to employ some person to perform the duties of Attorney General, whenever the office may be vacant, returned the same to the Senate and recommended its passage.

Mr. Phillips, from the same committee, to whom was referred a joint resolution instructing our Senators and requesting our Representatives in Congress to endeavor to secure the passage of a law requiring the United States District Court for the District of Texas to be held at more places than once, reported the same